

MAY 14 2007

Customized PTO/SB/21 (09-06)

## TRANSMITTAL FORM

(for all correspondence after initial filing)

Total number of pages in this submission =

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fees calculated below	<input type="checkbox"/> Reply to Missing Parts/Incomplete Application
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> including Attachment(s)	<input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> After Final Amendment/Reply	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> including Attachment(s)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Extension of Time Petition	<input checked="" type="checkbox"/> 3 References
<input type="checkbox"/>	<input type="checkbox"/>

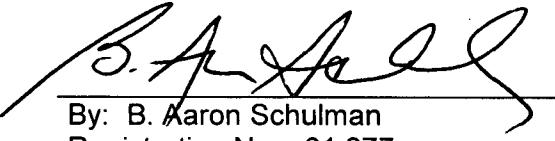
## FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
<input type="checkbox"/> TOTAL CLAIMS		- 20		X \$ 50 =	
<input type="checkbox"/> INDEPENDENT CLAIMS		- 3		X \$ 200 =	
TOTAL OF ABOVE CLAIMS FEES =					
<input type="checkbox"/> Reduction by 1/2 for small entity status of applicant					SUBTOTAL =
<input type="checkbox"/> Fee for extension of time (per attached Petition)					
<input type="checkbox"/> Other fee for					
TOTAL OF ALL FEES =					0

 Payment by credit card. FORM PTO-2038 in the amount of \$ is attached. The Director is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:

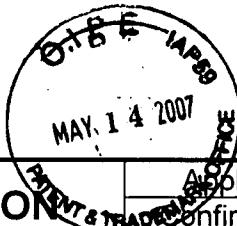
- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
- (2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: May 14, 2007



By: B. Aaron Schulman  
Registration No.: 31,877

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<b>SECOND INFORMATION DISCLOSURE STATEMENT</b>	Application #	10/661,809
	Confirmation #	7385
	Filing Date	15 September 2003
	First Inventor	HOOK et al
	Art Unit	1631
	Examiner	Smith, Carolyn L.
	Docket #	P07741US01/BAS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**This IDS is submitted pursuant to 37 CFR. §1.97-1.98 and includes the following:**

- A listing of the references on PTO-1449.
- A copy of all **non-US** references which are listed on the PTO-1449 (US refs not required).
- A copy of a corresponding foreign **Search Report** which explains the relevance of the references noted therein.
- A separate **explanation of relevance**.

**Please note the following particulars concerning the filing of this IDS:**

- 1. This IDS is filed at whichever is the latest of:
  - within three months of the filing date of a NATIONAL APPLICATION other than a CPA, or
  - within three months of the date of entry into the NATIONAL STAGE as set forth in 37 CFR. §1.491 in an international application, or
  - before the mailing date of a first Office Action on the merits or after filing of an RCE (*but if a first Office Action is mailed but not yet received and the date on the face of the attached foreign communication makes it evident that this IDS is submitted within three months from the mailing of the search report, then applicant is entitled to have this IDS considered under 2.B. below and such boxes should be considered as having been checked*).
- 2. This IDS is filed **after a first Office Action**, but before a Final Action, Allowance, or any other action which closes prosecution, and:
  - A. Is accompanied by a payment in the amount of \$180.00 required by 37 CFR. §1.17(p).

or

- B. I hereby state that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- C. I hereby state that no item of information in this IDS herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR. §1.56(c) more than 3 months prior to the filing of this IDS.
- D. An appropriate Statement is attached.

3. This IDS is filed **after** a final action or allowance, but on/before payment of the issue fee, and:

A. is accompanied by a payment in the amount of \$180.00 required by 37 CFR. §1.17(p).

and

B. I hereby state that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

C. I hereby state that no item of information in this IDS herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR. §1.56(c) more than 3 months prior to the filing of this IDS.

D. An appropriate Statement is attached.

4. This IDS does not comply with 37 CFR 1.97-1.98, and is being filed **for placement in the file** pursuant to 37 CFR. §1.97(i).

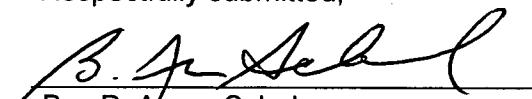
5. It will also be appreciated that:

- a. It is believed that this IDS complies fully with 37 CFR 1.56 and 1.97-98 and with MPEP § 609; but if for some reason it does not and will not be entered, the examiner is requested to telephone the undersigned so that any deficiency can be timely remedied.
- b. Some of the documents may have markings thereon, but no significance should be attached to those markings.
- c. These documents are not necessarily analogous art.
- d. Where an English language translation of an abstract is provided from a public source, applicant cannot vouch for the accuracy of that translation.

6. If no payment is enclosed and a fee is due in connection with this communication or if the payment enclosed is insufficient, the Director is authorized to charge any fee or additional fee due with this communication to Deposit Account No. 12-0555.

Respectfully submitted,

Date: May 14, 2007



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By: B. Aaron Schulman  
Registration No.: 31,877

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MAY 14 2007

Customized PTO/SB/08a+b (09-06)

Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Sheet 1 of 1

Application # 10/661,809

Confirmation # 7385

Filing Date 15 September 2003

First Inventor HOOK et al

Art Unit 1631

Examiner Smith, Carolyn L.

Docket # P07741US01/BAS

**U.S. PATENT DOCUMENTS**

Exam. Initial*	Document No. Number - Kind	Publ. Date MM-DD-YYYY	Name Patentee or Applicant	Relevance Passages/Figs.
	6,448,043	09-10-2002	CHOI ET AL	
	6,617,156	09-09-2003	DOUCETTE-STAMM ET AL	

**FOREIGN PATENT DOCUMENTS**

Exam. Initial*	Country-Number-Kind	Publ. Date MM-DD-YYYY	Name Patentee or Applicant	Relevance Passages/Figs.	Trans-lation
	WO-98/50554	11-12-1998	HUMAN GENOME SCIENCES		

**NON PATENT LITERATURE DOCUMENTS**

Exam. Initial*	Include NAME of the author (in CAPS), Title of Article/Item, Date, Page(s), Volume-Issue No., Publisher, City and/or Country where published	Trans-lation
	DATABASE UniProt Entry Q836MO_ENTFA 1 June 2003, PAULSEN, I.T. ET AL.: "Von Willebrand factor type A domain protein" XP002426339 accession no. Q836MO *abstract* & I.T. PAULSEN ET AL.: "Role of mobile DNA in the evolution of vancomycin-resistant Enterococcus faecalis" SCIENCE, vol. 299, 28 March 2003, pages 2071-2074, XP002268057	
	DATABASE UniProt Entry Q836L9_ENTFA 1 June 2003, PAULSEN, I.T. ET AL.: "cell wall surface anchor family protein" XP002426340 accession no. Q836L9 *the whole document* & I.T. PAULSEN ET AL.: "Role of mobile DNA in the evolution of vancomycin-resistant Enterococcus faecalis" SCIENCE, vol. 299, 28 March 2003, pages 2071-2074, XP002268057	

Examiner Signature

/Jennifer Graser/

Date Considered

10/08/2008

\* Examiner: Initial if considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.